

1 FW
2621

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Zhigang Fan
FOR : **IMAGE TYPE CLASSIFICATION USING
COLOR DISCRETENESS FEATURES**
SERIAL NO. : 10/040,692
FILED : January 7, 2002
EXAMINER : Amir Alavi
ART UNIT : 2621
CONFIRMATION NO. : 4999
ATTORNEY DOCKET NO. : **A1648-US-NP
XERZ 2 00458**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement shall not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicant(s) has (have) not enclosed copies of

the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

☒ Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

☐ All of the cited and/or included documents were cited by the Patent Office in a related application(s). A copy of the Search Report is enclosed.

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☐ **WITHIN THREE MONTHS OF FILING:** Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application (or date of entry of the national stage). Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

☐ **BEFORE FIRST OFFICE ACTION:** Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSSES PROSECUTION/WITH STATEMENT:** Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent

office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☒ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement. Any overpayment or deficiency should be charged to Deposit Account No. 06-0308.

☐ **AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2. ☐ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement. Any overpayment or deficiency should be charged to Deposit Account No. 06-0308.

☐ **PRIORITY CLAIM:** The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application.

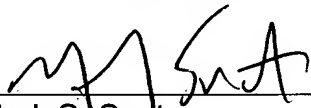
Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

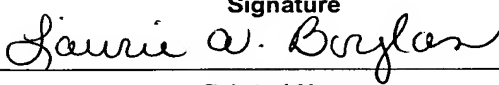
6/7/05
Date

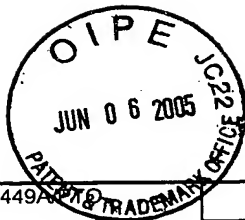

Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
216/861-5582

CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying document(s) are being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted to facsimile number _____ under 37 C.F.R. 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date June 3, 2005	Printed Name Laurie A. Boylan



INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)	Complete if Known	
	Application Number	10/040,692
	Filing Date	January 7, 2002
	First Named Inventor	Zhigang Fan
	Art Unit	2621
Examiner Name	Amir Alavi	
Sheet 1 of 2	Attorney Docket No.	A1648-US-NP (XERZ 2 00458)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-4,685,143	08-04-1987	Choate	
	AB	US-5,063,604	11-05-1991	Weiman	
	AC	US-5,101,440	03-31-1992	Watanabe et al.	
	AD	US-5,309,228	05-03-1994	Nakamura	
	AE	US-5,416,890	05-16-1995	Beretta	
	AF	US-5,629,989	05-13-1997	Osada	
	AG	US-5,640,492	06-17-1997	Cortes et al.	
	AH	US-5,778,156	07-07-1998	Schweid et al.	
	AI	US-5,867,593	02-02-1999	Fukuda et al.	
	AJ	US-5,917,963	06-29-1999	Miyake	
	AK	US-6,351,558	02-26-2002	Kuwata	
	AL	US-6,647,131	11-11-2003	Bradski	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	AM	JP 11055540 A	02-26-1999	Kawamura et al.		<input checked="" type="checkbox"/>
	AN	JP 11066301 A	03-09-1999	Akimoto et al.		<input checked="" type="checkbox"/>
	AO					<input type="checkbox"/>

OTHER NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AP	Arrowsmith et al., Hybrid Neural Network System for Texture Analysis, 7th Int. Conf. on Image Processing and Its Applications, vol. 1, July 13, 1999, pp. 339-343.	<input type="checkbox"/>
	AQ	Athitsos et al., Distinguishing Photographs and Graphics on the World Wide Web, Proc. IEEE Workshop on Content-Based Access of Image and Video Libraries, June 20, 1997, pp. 10-17.	<input type="checkbox"/>
	AR	Berry et al., A Comparative Study of Matrix Measures for Maximum Likelihood Texture Classification, IEEE Trans. On Systems, Man and Cybernetics, vol. 21, no.1, January 1991, pp. 252-261.	<input type="checkbox"/>
	AS	Lee et al, Texture Image Segmentation Using Structural Artificial Neural Network, SPIE Vol. 3185, pp. 58-65.	<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--



Substitute for Form 1449A/B INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)	Complete if Known	
	Application Number	10/040,692
	Filing Date	January 7, 2002
	First Named Inventor	Zhigang Fan
	Art Unit	2621
Examiner Name	Amir Alavi	
Sheet 2 of 2	Attorney Docket No.	A1648-US-NP (XERZ 2 00458)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	US-6,766,053	07-20-2004	Fan et al.	
	BB	US-2001/0052971	12-20-2001	Tsuchiya et al.	
	BC	US-2002/0067857	06-06-2002	Hartman et al.	
	BD	US-2002/0131495	09-19-2002	Prakash et al.	
	BE	US-2002/0146173	10-10-2002	Herley	
	BF	US-			
	BG	US-			
	BH	US-			
	BI	US-			
	BJ	US-			
	BK	US-			
	BL	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	BM					<input type="checkbox"/>
	BN					<input type="checkbox"/>
	BO					<input type="checkbox"/>
	BP					<input type="checkbox"/>

OTHER NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	BQ	Mogi, A Hybrid Compression Method based on Region Segmentation for Synthetic and Natural Compound Images, IEEE 0-7803-5467-2, pp. 777-781.	<input type="checkbox"/>
	BR	Shafrenko et al., Histogram Based Segmentation in a Perceptually Uniform Color Space, IEEE 1057-7149/98, pp. 1354-1358.	<input type="checkbox"/>
	BS	Schettini et al., Color Image Classification Using Tree Classifier, ITIM, IAMI, The Seventh Imaging Conference, Color Science, Systems, and Applications, November 1999, pp. 269-272.	<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--